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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,728	05/03/2005	Rolf Friedrich Philipp Becker	CH 020034	5935

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

HU, RUI MENG

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/533,728

Applicant(s)

BECKER, ROLF FRIEDRICH
PHILIPP

Examiner

RuiMeng Hu

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. The drawings are objected to because of failed to label each feature descriptively.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. **Claims 1-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mueller (DE 10060163)** in view of **Fukui (JP 07322346)** and **Gerrits et al. (US Patent 7031696)**.

Consider **claims 1 and 8**, Mueller clearly discloses a mobile radio comprising a GSM receiving unit incorporated with a further receiving unit for receiving time information (Abstract, third paragraph, the mobile station with GSM receiving unit incorporated with clock function or a separate clock component (new firmware) used to receive and evaluate the time information for synchronizing or updating the clock of said mobile station).

However Mueller fail to specifically disclose the details of receiving regular data signals (GSM data signals) and real time circuit. These features are well known in the art, in the same field of endeavor as disclosed by Fukui (figure 1, paragraphs 3, 7 (GSM utilizes TDMA), 9, 10, 12, 16). In which that comprising an analog-to-digital converter (figure 1, converter 9) next in line for converting analog signals into digital signals, a digital signal processor (figure 1, DSP 8) for reconstructing and processing the received signals, a system controller (CPU) for controlling the components of the mobile radio, a real-time circuit (RTC 14) comprising an oscillator and a display (LCD 12) for displaying information.

Mueller clearly discloses in which a further receiving unit (GSM receiving unit incorporated with clock function or a separate clock component used to receive and evaluate the time information) is arranged for receiving a time reference signal.

However Mueller fail to disclose the details of said further receiving unit. These features are well known in the art, in the same field of endeavor, Gerrits et al. clearly disclose a portable unit comprising receiving and processing units for receiving time information from a FM base station, that comprises an antenna for receiving time

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reference signals, tunable capacitors for tuning to the transmit frequency and an amplifier for amplifying the received time reference signal (figures 3 and 4, block E1 may comprising tunable capacitors as for searching FM signals (RDS) with time information, antenna 8, LNA 9).

Mueller fail to specifically disclose the details of processing received time information. These features are well known in the art. In the same field of endeavor, Fukui clearly disclose in which mobile radio the received time reference signal (time information transmitted on a control channel) can be applied at a predetermined instant to the digital signal processor (DSP 8) for demodulation and filtering and to the system controller (CPU) for decoding, and there is provided to update the real-time circuit (RTC 14) with the decoded time reference signal (figure 1, paragraphs 3, 7 (GSM utilizes TDMA), 9, 10, 12, 16).

Mueller clearly discloses the GSM receiving unit incorporated with clock function or a clock function component (new firmware), for the purpose of saving circuit components it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a multiplex unit for combining time information signal and regular radio data signal, then supplying to a single DSP, said multiplex could be inserted between the GSM receiving unit and the analog-to-digital converter, which multiplex unit can be supplied with the received analog mobile radio signal and the time reference signal.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the selection techniques taught by Fukui

and Gerrits et al. into the art of Mueller as to include the features of signal processing means to process regular GSM radio data signal and displaying real time clock.

Consider **claim 2 as applied to claim 1**, Mueller as modified by Fukui and Gerrits et al. fail to disclose characterized in that the multiplex unit can be controlled by the system controller.

In the same field of endeavor, Fukui clearly discloses a CPU that controls circuit components through bus line 16 (figure 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the selection technique taught by Fukui into the art of Mueller as modified by Fukui and Gerrits et al. as to use a single CPU to control circuit parts including the multiplex for control centralization and efficiency.

Consider **claim 3 as applied to claim 1**, Mueller as modified by Fukui and Gerrits et al. fail to disclose characterized in that the gain factor of the amplifier and the tunable capacitance can be set by the system controller.

In the same field of endeavor, Gerrits et al. clearly disclose the microcontroller 6 controls the means of searching for FM signal with RDS signal (time information) (column 5 line 66-column 6 line 8).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the selection technique taught by Gerrits et al. into the art of Mueller as modified by Fukui and Gerrits et al. as to use the CPU to control the tunable capacitance and amplification factor to obtain a good quality FM RDS signal.

Consider **claim 4 as applied to claim 1**, Mueller as modified by Fukui and Gerrits et al. fail to disclose characterized in that the real-time circuit can be updated by the system controller.

In the same field of endeavor, Fukui clearly discloses the real-time circuit RTC 14 can be updated by the CPU.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the selection technique taught by Fukui into the art of Mueller as modified by Fukui and Gerrits et al. as to use the CPU to control the tunable capacitance and amplification factor to obtain a good quality FM RDS signal.

Consider **claim 5 as applied to claim 1**, Mueller as modified by Fukui and Gerrits et al. fail to disclose characterized in that the updating distance can be chosen at will or is fixedly programmed.

In the same field of endeavor, Fukui clearly discloses the updating distance can be chosen at will or is fixedly programmed (paragraph 25).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the selection technique taught by Fukui into the art of Mueller as modified by Fukui and Gerrits et al. as for dynamically control of updating the real time clock.

Consider **claim 6 as applied to claim 1, claim 9 as applied to claim 8**, Mueller as modified by Fukui and Gerrits et al. fail to disclose characterized in that the further receiving unit is a receiving unit for amplitude-modulated signals.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to realize that the receiving unit receives AM signals is a design choice, the time information could be transmitted using FM or AM method.

Consider **claim 7 as applied to claim 1, claim 10 as applied to claim 8,** Mueller as modified by Fukui and Gerrits et al. fail to disclose characterized in that the receiving unit is a receiving unit for frequency-modulated signals.

In the same field of endeavor, Gerrits et al. clearly discloses the receiving unit is a receiving unit for frequency-modulated signals (Abstract).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the selection technique taught by Gerrits et al. into the art of Mueller as modified by Fukui and Gerrits et al. as to properly receive time information signal using FM signal containing RDS data.

Consider **claim 11 as applied to claim 10,** Mueller as modified by Fukui and Gerrits et al. fail to disclose in which the other information contained in the RDS/RDBS signal is decoded and shown on the display.

It is well known in the art that in FM signal, the RDS data may comprise information other than time information, such as information (title, singer) about the audio signal of the FM station.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to display the information about the audio signal for identification purpose.

Conclusion

6. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed**

to: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RuiMeng Hu whose telephone number is 571-270-1105. The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on 571-272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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RuiMeng Hu
R.H./rh
January 5, 2007

EDAN ORGAD
PRIMARY PATENT EXAMINER

Ed Orgad 1/5/07